

CALIFORNIA STATE COASTAL CONSERVANCY

1330 BROADWAY, SUITE 1100
OAKLAND, CA 94612-2530
ATSS 541-1015
TELEPHONE 510/286-1015
FAX 510/286-0470



June 29, 1995

Mr. Jonathan Horne
309 Santa Monica Blvd., Suite 306
Santa Monica, CA 90401

Dear Jonathan:

I understand from Brenda Buxton that you have begun a construction feasibility study of the 13 car parking lot near the intersection of Malibu Cove Colony Drive and Pacific Coast Highway. Before you proceed any further, I would like to clarify the terms under which the Conservancy would consider extinguishing the Mancuso/Wildman easement.

While we do believe the parking area is a way to increase public access to Escondido Beach and might well be a suitable alternative to the Mancuso/Wildman easement, we are willing to seek our Board's approval for exchanging the Mancuso/Wildman easement for the parking lot **only** if the following conditions are met within the next three months:

1. You submit the feasibility study for Conservancy review and approval.
2. You provide evidence of ownership of the site or, at the very least, an option to purchase the site.
3. You provide detailed cost estimates and commit to all of the direct and indirect costs, as well as the administration efforts required, to construct the project.
4. You secure Coastal Commission approval for the exchange and the use of funds previously dedicated for construction of the Mancuso/Wildman easement.

Once these conditions were met, we would seek the approval of our Board for the exchange. The proposal we would take to our Board would require you to assure construction of the parking area, including securing permits, designing the facilities (subject to our approval), supervising construction, and funding construction. We are willing to work with you on the permit applications but

Mr. Jonathan Horne
June 29, 1995
Page Two

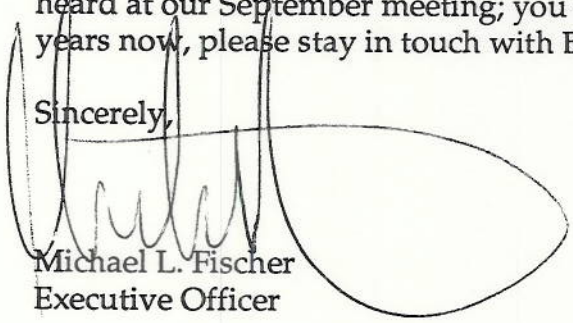
you will be responsible for the permit and extinguishment of the Mancuso/Wildman easement would be contingent upon permit approval for the alternative project. We would also expect this to be done within a reasonable amount of time, such as one to two years.

You have told Brenda Buxton of our staff that constructing parking lots is beyond the expertise of your client and for this reason you do not want to construct the parking lot. However, I hope you understand our position; we simply do not have the staff resources necessary to accomplish such an effort. Furthermore, we are not going to agree to extinguish the Mancuso/Wildman easement unless we are guaranteed something significantly better and there is no guarantee until the parking lot is built. As we have stated before, we will only consider a "turn-key" arrangement with no risk to us.

If these terms are not acceptable to you, please let me know.

In the meantime, we are proceeding with our topographical mapping and construction feasibility analysis of the Mancuso/Wildman easement. As you know, we will seek our Board's approval to enter into an agreement with MRCA for the operation and maintenance of the Mancuso/Wildman easement and other vertical accessways to Escondido Beach. (This item was re-scheduled and will be heard at our September meeting; you will be notified.) As you have for several years now, please stay in touch with Brenda Buxton. Thanks.

Sincerely,



Michael L. Fischer
Executive Officer

cc: Susan McCabe